GA No. 202 of 2002
(Old No. 2969/1998)
Hon'ble B.C. Kandpal, J.

This appeal has been preferred by the State Government against the impugned judgment and order dated 10.07.1998 passed by 1st Judicial magistrate, Tehri Garhwal in Criminal Case No. 105 of 1995 whereby the respondent was acquitted from the charges leveled against him under Sections 468, 471 of I.P.C.

Brief facts of the case are that the respondent – Dharam Singh had overwrite on the date of birth certificate and the complaint under Sections 468 and 471 of I.P.C. was lodged against him. The trial court after considering the entire material available before it and after hearing learned counsel for the parties, acquitted the respondent, namely, Dharan Singh vide judgment and order dated 10.07.1998.

Feeling aggrieved by the aforesaid order, the State preferred this appeal before the Allahabad High Court which has been transfer to this Court after creation of separate State, for disposal.

Heard learned A.G.A. on the point of admission, Sri H.C. Pathak, learned counsel for the respondent and perused the impugned judgment passed by the court below.

Having considered the arguments advanced by learned counsel for the State, I am of the view that the trial court has thoroughly scrutinized the evidence adduced by the prosecution. I share my view with the trial court that the acquittal of the respondent do not require any interference. The trial court has rightly acquitted the accused, I do not find any merit in this appeal.

Accordingly, the government appeal is dismissed in-limine.

(B.C.K., J.)

16.11.2007
ASWAL